

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF ALABAMA

In re

Case No. 06-11227-DHW

Chapter 13

GRANT C. BALL
BILLIE J. BALL,

Debtors.

AMENDED
ORDER DISMISSING MOTION

The debtors filed a motion to extend the automatic stay under 11 U.S.C. § 362(c)(3). Under that section, the stay terminates 30 days following the petition for relief if the debtor had a prior case dismissed within the preceding year.

The motion came on for hearing on November 29, 2006.

However, the debtors' prior case was not dismissed. Rather, the debtors completed their plan, and a discharge order entered. It follows that because no case has been dismissed within the preceding year, the provisions of § 362(c)(3) do not apply. Accordingly, it is

ORDERED that the motion is DISMISSED. However, the automatic stay of 11 U.S.C. § 362 continues in effect.

Done this 11th day of December, 2006.

/s/ Dwight H. Williams, Jr.
United States Bankruptcy Judge

c: Debtors

Cameron A. Metcalf, Attorney for Debtors
Curtis C. Reding, Trustee